

JUDGE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	No. CR15-029-RAJ
)	
Plaintiff,)	
)	STIPULATED MOTION TO
v.)	CONTINUE TRIAL AND
)	PRETRIAL MOTIONS DATES
BRIAN FARRELL,)	
)	
Defendant.)	

Brian Farrell, through his attorney, Assistant Federal Public Defender Peter J. Avenia, and the United States of America, through Assistant United States Attorney Thomas Woods, respectfully request a continuance of the trial date to August 17, 2015, and the pretrial motions deadline to July 16, 2015. This motion is made for the following reasons.

Mr. Farrell is charged with conspiracy to distribute cocaine, heroin, and methamphetamine. The charge carries a ten-year mandatory minimum term of imprisonment. The complaint alleges that Mr. Farrell participated in a large drug conspiracy by virtue of his employment with the online black market website known as "Silk Road 2.0." According to the government, Silk Road 2.0 offered buyers and sellers of drugs and other illegal commodities a platform upon which to transact business. Users paid for items using Bitcoins and would pay a commission on the sales to Silk Road.

1 The government has so far produced a large quantity of computer documents
2 associated with Silk Road 2.0. More discovery is expected as the case progresses.
3 Search warrants were executed against Mr. Farrell's residence and computers. In
4 addition, Mr. Farrell gave a lengthy statement to investigators following his arrest and
5 the search of his apartment.

6 The defense will need additional time to analyze the voluminous computer
7 evidence in the case, to interview witnesses, and to research suppression issues
8 concerning physical evidence, computer searches, and custodial statements.

9 In addition, Mr. Farrell is not currently available. He was released on bond in
10 January and ordered to complete a 60-day inpatient drug treatment program at Pioneer
11 Center North in Sedro Woolley, Washington. The program began on February 25 and is
12 scheduled to end on or about April 25.

13 For these reasons, the parties ask the Court to find that:

14 (a) taking into account the exercise of due diligence, a failure to grant a
15 continuance would deny counsel for the defendant the reasonable time necessary for
16 effective preparation, due to counsel's need for more time to review the evidence,
17 consider possible defenses, and gather evidence material to the defense, as set forth in
18 18 U.S.C. § 3161(h)(7)(B)(iv); and

19 (b) a failure to grant a continuance would likely result in a miscarriage of justice,
20 as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

21 (c) the additional time requested is a reasonable period of delay, as the defendant
22 has requested more time to prepare for trial, to investigate the matter, to gather evidence
23 material to the defense, and to consider possible defenses; and

24 (d) the case is sufficiently complex that it is unreasonable to expect adequate
25 preparation for pretrial proceedings or the trial itself within the current trial schedule, as
26 set forth in 18 U.S.C. § 3161(h)(7)(B)(ii); and

1 (e) the ends of justice will best be served by a continuance, and the ends of
2 justice outweigh the best interests of the public and the defendant in any speedier trial,
3 as set forth in 18 U.S.C. § 3161(h)(7)(A); and

4 (f) the additional time requested between the current trial date of April 20, 2015,
5 and the new trial date is necessary to provide counsel for the defendant reasonable time
6 to prepare for trial considering counsel's schedule and all of the facts set forth above.

7 Mr. Farrell has executed a speedy trial waiver, which will be filed with this
8 motion.

9 Assistant United States Attorney Thomas Woods has no objection to the
10 continuance.

11 Therefore, the parties respectfully request a continuance of the trial date to
12 August 17 and the pretrial motions deadline to July 16. The parties further ask the Court
13 to exclude the time period from the date of the Court's order to the new trial date for
14 purposes of computing the time limitations imposed by the Speedy Trial Act.

15 DATED this 12th day of March, 2015.

16 Respectfully submitted,

17 *s/ Peter J. Avenia*
18 Assistant Federal Public Defender
19 Attorney for Brian Farrell

20 *s/ Thomas Woods*
21 Assistant United States Attorney
22 *by telephonic or email authorization*
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24
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CERTIFICATE OF SERVICE

I certify that on March 12, 2015, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of filing to all registered parties.

s/ Suzie Strait
Paralegal